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Beth Pearson-Naul

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Matthias Meister et al.

Serial No.: 10/772,123

Filed: February 4, 2004

Title: "Apparatus and Method for
Cleaning and Sealing a Well
Borehole Portion for Formation
Evaluation"

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Attorney Docket: 414-26216-USD

Confirmation No.: 4278

PETITION

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sirs:

This Petition is in response to the Notice to File Corrected Application Papers (the "Notice") mailed on May 6, 2004. Filed herewith is a second preliminary amendment correcting a clerical error in the specification and providing a corrected drawing sheet 5 of 8 in response to the notice.

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REMARKS

Drawings

The Notice indicates that more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.). The Notice refers Applicant to Figure 6.

Applicant respectfully submits that there is no Figure 6 in the application. The reference to figure 6 in the brief description of the drawings is in error. Drawing sheet 5 of 8 as filed included three figures, two of which were designated as Fig. 4A and Fig. 4B and the third having no designation. The corrected drawing filed herewith adds the designation Fig. 4 to sheet 5 of 8 to the figure having no designation.

Omitted Page of Specification

The Notice alleges that a page, specifically page 1, in the original application papers was omitted. Applicant respectfully submits that all pages were submitted including page 1. Page one of the application papers is identified as a cover page in the post card and consists of the Title of the Invention, the named inventors, the name of the Assignee and the original certificate of mailing. A copy of page 1 as filed is submitted herewith along with a copy of the post card (both sides) indicating the cover page was filed and received. The postcard clearly shows that the application papers filed on February 4, 2004 included the cover page, 16 pages of specification, 6 pages of claims and one page of abstract for a total of 24 pages.

Conclusion

Applicant respectfully submits that all of the original application papers comprising the complete application were in fact filed as evidenced by the post card. Therefore Applicant respectfully requests a refund of the petition fee for this paper. The Commissioner is hereby authorized to the petition fee of \$130.00 due for this petition and to credit any overpayment or refund to Deposit Account No. **02-0429 (414-26216-USD)**.

Respectfully submitted,

Date: July 6, 2004



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